

Discover

Deltona

F L O R I D A

CITY OF DELTONA, FLORIDA
ECONOMIC DEVELOPMENT OFFICE



Doing Business in Deltona

RESOURCE GUIDE

Welcome!

Being in business is about making money and showing profits. It is also about maintaining an entrepreneurial zeal to meet market need and achieve significant results.

The City of Deltona is anxious to assist new businesses to assure their successful location in Deltona. Starting a new business requires a major commitment of time, energy, and capital. You will also be required to obtain a business license, and other required zoning, planning, and building permits, depending on the nature of your business. Most important to your success is the development of a business plan, which describes how your business will be managed and operated. A business plan is also essential if you are seeking financing for your business.

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Introduction

This booklet is designed to provide basic information to assist individuals or companies wishing to establish or expand a business within the City of Deltona. It is intended to be a resource to assist you in locating available sources of information. Direct contact should be made with the individual agencies to obtain detailed information and advice.

Every attempt has been made to provide up-to-date information. Agencies providing the information may change their policies without notice.

The Economic Development Office can assist you in establishing your Deltona business and can answer many questions which are not addressed in this publication. If you are establishing a business or expanding your existing Deltona business, please visit or give us a call at:

Economic Development Office
City of Deltona
2345 Providence Blvd
Deltona, FL 32725
386-878-8100

Local Business Regulations

Zoning and Land Use Regulations

Before you select a location for your business, you must make sure that the location has the required zoning for your type of business. Zoning information may be obtained from the Planning and Development Services Department, where zoning maps and a schedule of uses are available for your review.

Planning and Development Services Department
2345 Providence Blvd
Deltona, FL 32725
386-878-8600

Impact Fees

You may incur impact fees if you are building a new structure, or changing the use of an existing structure. For an assessment of impact fees for water and wastewater please contact the Building and Zoning Services Department Division for assistance.

Building and Zoning Services Department
2345 Providence Blvd
Deltona, FL 32725
386-878-8650

Building Codes

The City of Deltona requires that all new buildings meet the Florida Building Code, the Standard Housing Code (residential), the Florida Fire Prevention Code, the Standard Technical Codes, and all other pertinent state and local regulations governing the particular occupancy classification. A change to the occupancy class of any particular existing building, or portion thereof, will require upgrading to comply with all current codes. The Florida Building Codes are available at the Florida Department of Community Affairs Website at www.floridabuilding.org. Deltona Code of Ordinance can be accessed online via the City's website at www.deltonafl.gov. You may call the Building and Zoning Services Department at (386-878-8650) for the inspection of a building or assistance.

Certificate of Occupancy

A Certificate of Occupancy will be issued for existing buildings and upon completion of newly constructed buildings. This certificate is obtained through the Building Services Division. The certificate is proof that the building use and occupancy is in compliance with all applicable zoning and land use ordinances, as well as the structural and fire-life-safety codes of the City of Deltona. Each time there is a tenant change, or a change in the type of occupancy, a new Certificate of Occupancy must be obtained.

Building and Zoning Services Department
2345 Providence Blvd.
Deltona, Florida 32725
386-878-8650

Fire Inspection

The Fire Department inspects all businesses to ensure compliance with state and local Fire Codes.

Fire Department
1685 Providence Blvd.
Deltona, Florida 32725
386-860-7177

Signs

Sign regulations are controlled by the Planning and Development Services Department and also by the Building Zoning Services Department. Planning and Development Services approves the size, character, location, and number of signs; once approved, the Building and Zoning Services issues the sign permit based on the structural soundness and plans submitted. Sign permits are required prior to any installation, relocation, or alteration of a sign.

Building and Zoning Services Department
2345 Providence Blvd.
Deltona, Florida 32725
386-878-8650

Utilities

Water and Sewage

For your convenience all utilities may be connected with just one stop at the Customer Service Center at Deltona Water.

Deltona Water
Customer Service
255 Enterprises Road
Deltona, Florida 32725
386-575-6800

Volusia County Utilities
123 W. Indiana Ave., Breezeway
(in Tag and Title Office)
DeLand, Florida 32720
386-736-5971

Garbage/Dumpster Service

Commercial waste services are offered within the City of Deltona by Waste Services of Florida

For further information contact:

Waste Services of Florida at (386) 574-0778

Telephone Service

Embarq
1-800-786-6272

AT&T
1-866-213-6300

Licenses and Permits

City and County Occupational Permits

To conduct business in the City of Deltona, all businesses must first obtain an Occupational License (Local Business Tax) receipt issued by City of Deltona. This is a tax that provides for the privilege of engaging in a business, trade, or occupation within our city. The fee for each business varies. In addition, Volusia County requires a business tax as well. You must receive the certificate from the City prior to applying with Volusia County. For questions regarding the Volusia County's process, please call 386-736-5938.

The requirements for obtaining a local business tax receipt vary with each profession. Some businesses necessitate a State license, and we require a copy of this license prior to the issuance of the local business tax receipt.

Any complaints concerning business practices should be addressed, if they are licensed by the state, to the board that regulates them. For all other businesses please contact the Better Business Bureau at 407-621-3300 or you may visit their web site at www.bbb.org.

To apply for a local business tax receipt, stop by Deltona City Hall located at 2345 Providence Blvd. You may contact us with any questions concerning your business at 386-878-8100.

Site Plan and Building Permits

Sign regulations are controlled by the Planning and Development Services Department and also by the Building Zoning Services Department. Planning and Development Services approves the size, character, location, and number of signs; once approved, the Building and Zoning Services issues the sign permit based on the structural soundness and plans submitted.

Site plans and building permits are controlled by Planning and Development Services Department and also by the Building Zoning Services Department. Planning and Development Services approves the site plan and building permit is issued by the City of Deltona, Department of Building and Zoning Services Department. For additional information, please contact:

Planning and Development Services Department
2345 Providence Blvd.
Deltona, Florida 32725
386-878-8600

Vehicle Registration/Driver's License

Vehicle registration, for corporate vehicles and/or residents, can be obtained by providing proof of Florida insurance, and mileage verification. Forms to verify vehicle numbers (which must be notarized) are available at the vehicle registration office, insurance offices, or at auto clubs. Certification of mileage may be done by an insurance agent, the police department, or auto club. A Florida driver's license may be obtained after registration of the vehicle.

Auto Title & Transfer Office (Tag office)

Thomas C. Kelly Administration Center
123 W. Indiana Ave.,
Breezeway
DeLand, Florida 32720
386-736-5936 (West Volusia)

Orange City Administration Office
2744 Enterprise Road
Orange City, Florida
386-775-5251

You need:

Proof of Florida insurance
Vehicle registration/title
Vehicle verification form
Name, address, and account
number of lien holder (if
vehicle is financed).

- * If you are currently driving with a license from another state, you will be asked to surrender that license.
- * If you have a vehicle in Florida you will not be issued a driver's license without proof of Florida vehicle registration.

Driver's License Bureau

Volusia County Administration Bldg
330 East New York Avenue
DeLand, Florida 32724
(386) 736-5326

Licenses: Food Industries

Any business related to food, other than prepackaged, must contact the appropriate state agency. An inspection of your business must be arranged prior to opening or with a change of ownership or location. Because codes change, previously allowed activities may no longer be allowed under new ownership.

Deli and Carryout

Department of Agriculture
Division of Consumer Services
Mayo Building – 2nd floor
Tallahassee, FL 32399
(850) 488-0295

Restaurant

Dept of Professional Regulation
North Wood Center
1940 N. Monroe Street
Tallahassee, FL 32399
(850) 487-1395

Doing Business in Florida

In Florida, business and government leaders work together to create an environment in which business and industry thrive. It is an environment that is particularly friendly for entrepreneurs.

In Florida, land and construction costs are reasonable, taxes are stable and a wide variety of incentives are available to new and expanding businesses. Property, high-tech talent and the cost of doing business are more affordable in Florida than in most states including California, Massachusetts, or Minnesota.

In addition to these attributes, the lifestyle in Florida is the envy of the world. It is a state of exceptional beauty including environmentally significant lands, magnificent beaches and a rich history. Housing is affordable in Florida and there is no state income tax.

Florida Accolades

- Florida's economy is the eighth largest in the Western Hemisphere
- Florida's economy is the 15th largest in the world
- Florida has 14 hospitals listed among America's Best Hospitals
- Florida ranks 2nd in the nation on TechNet Broadband Index
- Florida's 4th graders are ranked 8th in the nation
- Florida's economy grew fastest among the ten largest states
- Florida is the 9th top job-creating state
- Florida's Embry-Riddle Aeronautical University ranked #1 for related engineering
- Florida has positive job market growth
- Florida's tax system is ranked 7th nationally among business friendly states
- Florida had eight cities among Intel's list of 100 best for wireless accessibility.

Business Incentives

Florida's stable economy and highly favorable tax climate enhances its position as a profitable location for business and industry. Incentives for which a particular business may qualify include but are not limited to the following.

Targeted Industry Incentives

- Qualified Target Industry Tax Refund, up to \$6,000 per qualifying new job created.
- High Impact Performance Incentive Grant, for pre-determined high-impact facilities.
- Qualified Defense Contractor Tax Refund, up to \$5,000 per new qualified job created.
- Capital Investment Tax Credit, annual tax credit for up to 20 years for qualifying projects.

Working/Training Incentives

- Quick Response Training Incentives, customized training for qualifying projects.
- Incumbent Worker Training Program, new skills training for qualifying existing employees.

Road Infrastructure Incentive

- Economic Development Transportation Fund, up to \$2 million for qualifying road projects.

Special Opportunity Incentives

- Permit Streamlining, expedited permit review process for high impact companies.

Local Incentives

- Volusia County Department of Economic Development assists the city in marshalling resources as needed for incoming qualified businesses; incentives for financial resources may be available for qualified projects.
- Ad Valorem Tax Abatement, real estate and personal property tax abatement for qualified businesses.

TAX ADVANTAGES

- No Corporate income tax on limited partnerships
- No corporate income tax on Subchapter S Corporations
- No state personal income tax guaranteed by the Florida constitution
- No corporate franchise tax on capital stock
- No state level property tax
- No property tax on business inventories
- No property tax on goods-in-transit for up to 180 days
- No sales and use tax on Florida goods produced for export
- No sales tax on purchase of raw materials for specified qualifying uses
- No sales / use tax on boiler fuels
- No sales / use tax on co-generation of electricity

Florida State Licensing Agencies

Many businesses and professions in Florida require a state license. The following list includes many of the most common licenses. Because new requirements are added periodically, it's important to check with your industry trade group for the most recent information. Or, to locate the appropriate agency with jurisdiction over your industry, check with the state telephone operator (850/488-1234) or on the web at www.myflorida.com click on 411.

Department of Business and Professional Regulation

www.state.fl.us/dbpr

850/487-2252 or 850/487-1395

Certified Public Accounting

850/487-1395

Architecture and Interior Design

Landscape Architecture

850/487-1395

Professional Geologists

850/487-1395

Athlete Agents, Talent Agents

850/487-1395

Auctioneers

850/487-1395

Barbers

850/487-1395

Cosmetology

850/487-1395

Community Association Managers

850/487-1395

Construction Industry

904/487-1395

Alarm Systems Contractors Electrical

Contractors

850/487-1395

Employee Leasing, Industrial Hygienists

850/487-1395

Funeral Directors and Embalmers

850/487-1395

Pilot Commissioners

850/487-1395

Asbestos Consultants

850/487-1395

Professional Engineers

850/521-0500

Professional Surveyors and Mappers

850/487-1395

Real Estate Appraisers

407/487-1395

Veterinary Medicine

850/487-1935

Department of Health-Division of Medical Quality Assurance

www.doh.state.fl.us

850/488-0595

Acupuncture, Medicine, Dentistry, Electrolysis, Midwifery, Physical Therapy, Dietetics and Nutrition, Occupational Therapy, Respiratory Care, Chiropractic, Hearing Aid Specialists, Optometry, Podiatry, Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, Massage Therapy, Orthotists & Prosthetists, Athletic Training, Opticianry, Dental Laboratories, Pharmacy, Naturopaths, Speech Language Pathology, and Audiology, Clinical Laboratory Personnel, Psychology and Nursing.

Nursing Assistants

850/488-0595

Agency for Health Care Administration

www.fdhc.state.fl.us

850/488-0595

Nursing Homes and Long-Term Care

850/488-5861

Home Health Care

850/414-6010

Adult Congregate Living Facilities

850/487-2515

Department of State

www.dos.state.fl.us

850/245-6500

Games Promotions, Private Investigative

Agencies, Unarmed/Armed Guards

850/487-1395

Department of Children and Families

www.state.fl.us/cf_web

850/487-1111

Day Care Centers

850/488-4900

Volusia County (District 12)

386/947-4052

Department of Insurance

www.doi.state.fl.us

850/413-3140

Bail Bondsmen and Runners Insurance

Companies, Pre-Paid Legal Plans

850/413-3137

Department of Banking and Finance

www.dbf.state.fl.us

850/410-9805

Security Broker,

Certified Capital Companies

850/410-9805

Home Improvement Finance, Retail

Installment Sales, Mortgage Broker

850/410-9805

Check Cashing Services
850/410-9805

**Department of Agriculture and
Consumer Services**

<http://doacs.state.fl.us>

850/488-3022

Motor Vehicle Repair, Telemarketing,
Travel Agents, Health and Exercise Clubs
850/488-2221 or 800/435-7352 (in
Florida)

Plant Nurseries
352/372-3505

Pesticide Specialists
904/488-3731

**Department of Highway Safety
and Motor Vehicles**

www.hsmv.state.fl.us

Automobile Dealers
850/617-3003

Transportation

Getting here has never been easier!

Welcome to the Heart of Florida. Deltona is easy to get to by air, sea and land. Deltona sits at the crossroad of Florida's highway network.

Easy access is available through a network of Interstate highways, railroads and nearby port facilities. Within a 45 minute drive, there are three international airports: Daytona Beach International, Orlando Sanford International and Orlando International and DeLand Regional Airport. The City is approximately 25 miles northeast of Orlando and approximately 25 miles southwest of Daytona Beach.

Trucking in Florida is deregulated, helping to keep prices as much as 10 percent below the national average.

If you prefer to leave the driving to someone else, Amtrak train service is available in DeLand. Commercial rail customers are served in Volusia County by Florida Central Roadway, which provides access to all major rail lines and cities. In addition to rail service, Greyhound has a terminal in Deltona providing additional travel options. Whether for business or pleasure, Deltona is easily accessible.

Local Websites

City of Deltona

www.deltonafl.gov

This site provides information on general community information and City Operations.

Volusia County Government

www.volusia.org

This is the official Volusia County government website. The site provides information on the various government departments, recreational opportunities, tourism and economic development assistance provided by the County.

West Volusia Regional Chamber of Commerce

www.chamberofcommerceofwestvolusia.com

This is a not for profit organization representing a broad-based coalition of businesses from throughout Central Florida. If you are looking for a restaurant, local business, shopping options or general information on what is available in the greater Deltona area, this site is for you.

Economic Development Organizations

City of Deltona Economic Development Office

The City of Deltona economic development office offers the following services:

Ombudsman Services – City staff works with businesses to fast track construction permits and other City services.

Incentive Strategy Management – The Economic Development staff works with businesses to identify and obtain needed financial incentives from various agencies including the State and Federal agencies.

Job and Training Coordination - The Economic Development staff assists businesses in locating qualified staff by working with various agencies. In addition, the Economic Development staff will work with local educational institutions to develop effective training programs.

Commercial/Industrial Site Inventory – The staff maintains an inventory of commercial and industrial land and existing buildings. The database includes information on zoning; land and building costs; and availability of utilities.

For additional information:

Economic Development Office
City of Deltona
2345 Providence Blvd.
Deltona, FL 32725
386-878-8100

Volusia County Economic Development Office

The Volusia County Economic Development Office offers the same services as identified above for the Deltona Economic Development Office.

Contact:

Department of Economic Development
Volusia County
700 Catalina Drive, Suite 200
Daytona Beach, FL 32114
Floridabusiness.org
386-248-8048

Enterprise Florida Programs

Enterprise Florida Inc. (EFI) is a partnership between Florida's government and business leaders and is the principal economic development organization for the state of Florida. EFI's mission is to increase economic opportunities for all Floridians by supporting the creation of quality jobs, a well-trained workforce and globally competitive businesses. It pursues this mission in cooperation with its statewide network of economic development partners.

Enterprise Florida, Inc.
800 N. Magnolia Avenue
Suite 1100
Orlando, FL 32803
www.eflorida.com
Phone: (407) 956-5600
Fax: (407) 956-5599

Business Development Assistance

Small Business Development Center

The Small Business Development Centers in Florida have the largest and most productive small business development programs in the United States. SBDCs provide training and counseling on many aspects of business. There are programs located at eight state universities and three community colleges in Florida. Contact:

SBDC at DBCC

Daytona Regional Office Address

1200 W. International Speedway Blvd
Building 110 Room 222
Daytona Beach, Florida 32114

Phone: (386) 506-4723

Fax: (386) 506-4602

E-mail: sbdc@dbcc.edu

Minority Business Opportunity Centers

The Minority Business Opportunity Centers are unique programs for business assistance. These centers are state and local organizations dedicated to the planning, coordinating and delivery of available resources for the participation of the local minority business sector in the economy of the community. For additional information, write or call the MBOC center in Orlando. 407/245-6495

MBOC

6880 Eleanor Drive, Ste. 104D
Orlando, FL 32809

One Stop Center

The One Stop Center is a state funded program that provides a variety of services for employers and employees. The One Stop office helps match employees with employers and provides various employee training.

One Stop Employment Center

1382 S. Woodland Blvd.
DeLand, Florida 32720
386/740-3232

Export Counseling

Enterprise Florida's Division of International Trade provides an export counseling service for Florida manufacturers and service companies whose interest in and commitment to exporting is genuine. Export counseling sessions normally take the form of one-on-one meetings at the business location or an EFI office.

Contact: Enterprise Florida International Trade Division - 305/808-3660

International Trade Events

Enterprise Florida's Division of International Trade offers small and medium-sized Florida businesses interested in doing business internationally the opportunity to participate in overseas trade events and marketing missions. Enterprise Florida market-site trade events are professionally planned missions that feature one-on-one, prearranged appointments with business executives interested in the specific product lines or services of participants.

Contact: Enterprise Florida International Trade Division - 305/808-3660

Business Development Incentives

Introduction to Incentives

The City of Deltona Economic Development Office serves to coordinate grant and incentive applications to State and Federal agencies on behalf of Deltona businesses. The following list of incentives identifies only the major incentive opportunities that currently exist for local businesses.

State of Florida Incentive Programs

Capital Investment Tax Credit - Provides annual corporate income tax credits to eligible high-impact sector businesses equal to 5 percent of the eligible capital costs of a new or expanding Florida facility.

CDBG Infrastructure Grants - The Florida Department of Community Affairs administers the Community Development Block Grant (CDBG) Program. The CDBG program currently provides \$12 million to provide infrastructure to new or expanding businesses.

Florida Energy Loan Program - The program provides low-interest loans to small businesses to purchase and install energy-efficient equipment or otherwise improve a facility's energy efficiency.

High Impact Business Performance Grant - This is an incentive used to attract and grow high-impact businesses in Florida. For example, a qualified high-impact business making a cumulative investment of \$100 million and creating 100 jobs may be eligible for a total grant award of \$1 million to \$2 million. A qualified company engaged in R&D that makes a cumulative investment of \$75 million and creates 75 new jobs may be eligible for a total grant award of \$2 million to \$3 million.

Qualified Defense Contractor Tax Refund Program - The refund provides up to \$5,000 per job created or saved in Florida through conversion of defense jobs to civilian production. Also qualifying are the acquisition of a new defense contract or the consolidation of a defense contract that results in at least a 25 percent increase in Florida employment or a minimum of 80 jobs.

Qualified Target Industry Tax Refund Program - This program provides tax refunds to pre-approved applicants of up to \$5,000 per new job created.

Quick Response Training Program - Working with community colleges, vocational/technical centers, state universities and other institutions, the program provides start-up training tailored to a company's needs.

Sales Tax Exemption on Aircraft Parts, Repair and Maintenance - Creates a sales tax exemption for replacement engines, parts and equipment used in the repair and maintenance of eligible aircraft. Also provides a sales tax exemption for the sale or lease of qualified aircraft.

Sales Tax Exemption on Manufacturing Machinery and Equipment - Allows for the purchase of certain manufacturing machinery and equipment to qualify for an exemption from paying the state sales/use tax.

Sales Tax Refund on Manufacturing or Research Equipment - Transforms an existing sales tax refund program for silicon technology machinery into a direct and recurring exemption.

Small Business Technology Growth Fund - Creates a new program to provide financial assistance (loan guarantees, letters of credit) to Florida businesses with emerging technological potential and fewer than 100 employees.

Corporations and Partnerships

Corporations: Glossary of Terms

A *CORPORATION* is a legal entity, created by statute (i.e., the state) with all the rights, privileges and responsibilities of a natural person; possessing the attributes of limited liability, centralized management, continuity of life and free transferability of interest.

A *FOR PROFIT CORPORATION* is a corporation created for the purpose of conducting business in the widest sense of the term. In Florida, such a corporation may be organized generally under Chapter 607 but may take on special attributes as prescribed by other subservient chapters.

A *NONPROFIT OR NOT-FOR-PROFIT CORPORATION* is a corporation normally thought of as one created for religious, charitable, or educational purposes that is generally formed under Chapter 617, Florida Statutes. However, the terms nonprofit or not for profit, as a type of corporation, do not preclude these entities from engaging in a profit making situation. In fact a nonprofit corporation is not necessarily a charitable corporation or one that is tax exempt. They are corporations that may not distribute their income to a member, director or officer other than as provided by law.

A *FOREIGN CORPORATION* is a corporation authorized by any jurisdiction other than Florida to transact business. An alien corporation is any corporation authorized by any jurisdiction other than: the United States, any state, the District of Columbia, Puerto Rico, Guam or any possession or territory of the United States, to transact business.

A *LIMITED LIABILITY COMPANY* is a hybrid form of business entity combining some of the attributes of a corporation with the status of a partnership.

Corporations: General Information

Any entity that transacts business in Florida as a corporation is required by Florida Statutes to file documents of incorporation or authorization with the Division of Corporations and pay the filing fee. The document must be typewritten or printed legibly in the English language. The professional advice of your legal counsel to ascertain exact compliance with all statutory requirements is strongly recommended.

All corporations must file a Uniform Business Report with the Division each year and pay the filing fee. Failure to file a Uniform Business Report will result in administrative dissolution of the corporation and loss of authorization to transact business as a corporation in Florida.

Supplies such as minute books, stationery, stock certificates and corporate seals are available through office supply stores. There are no laws requiring corporations to obtain

any of these. Some financial institutions and title companies require a corporate seal on documents signed by a corporation and are within their rights to do so.

Limited Liability Company: General Information

Any entity that transacts business in Florida as a limited liability company is required by Florida Statutes to file Articles of Organization or an application for authorization with the Division of Corporations and pay the filing fee. These documents must be typewritten or printed legibly in the English language. The professional advice of your legal counsel to ascertain exact compliance with all statutory requirements is strongly recommended.

All limited liability companies must file a Uniform Business Report with the Division each year and pay the filing fee. Failure to file will result in administrative dissolution of the limited liability company or loss of authorization to transact business in Florida as a foreign limited liability company.

Foreign Limited Liability Company Documents

A foreign limited liability company must submit an original certificate of existence that is no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. A photocopy of a certificate is not acceptable. If the certificate is in a language other than English, a translation of the certificate under oath of the translator must accompany the certificate.

The form prescribed by the Department of State titled “Application By Foreign Limited Liability Company For Authorization To Transact Business In Florida” must be used. The completed form must accompany the other required documents.

Fees for Profit, Nonprofit Florida & Foreign Corporations

For information on fees, call 850/488-9000; write to the Florida Department of State, Division of Corporations, Corporate Filings, P.O. Box 6327, Tallahassee, FL 32314 or check the Division’s website at www.sunbiz.org.

Partnerships: Glossary of Terms

A *PARTNERSHIP* is an association of two or more persons to carry on a business for profit as co-owners.

A *GENERAL PARTNERSHIP* is an association of two or more partners, each as a general partner with full status of unlimited personal liability and managerial control.

A *LIMITED PARTNERSHIP* is a partnership formed by two or more persons, under the laws of Florida, having one or more general partners and one or more limited partners with limited liability and little or no managerial control (i.e., investors only).

A *FOREIGN LIMITED PARTNERSHIP* is a partnership formed by two or more persons under the laws of any state other than Florida or of any other country, and having as partners one or more general partners and one or more limited partners.

A *REGISTERED LIMITED LIABILITY PARTNERSHIP* or a limited liability limited partnership is a general partnership or limited partnership that maintains an active registration with the Florida Department of State, Division of Corporations, by which it is afforded certain limitations in a general partner's liability.

Partnership: General Information

Entities that transact business as Florida Limited Partnerships are required by Florida Statutes to file a Certificate of Limited Partnership and an Affidavit of Capital Contributions with the Division of Corporations and pay the registration fee. Any legal or commercial business entity listed as a General Partner on the Certificate of Partnership must have an active registration or filing with the Division. A foreign limited partnership must submit an Application by Foreign Limited Partnership for Authorization to Transact Business in Florida, an Affidavit of Capital Contributions and pay the applicable fee. All limited partnerships that register with the Division must file a Uniform Business Report each year and pay the filing fee. Failure to file will result in revocation of authority to transact business. Partnership registration documents submitted to the Division must bear original signatures. Photocopied documents bearing original signatures are acceptable; however, photocopied signatures are not. Documents must be typewritten or printed legibly in the English language.

Additional Assistance or Information Services

Access to information filed with the State of Florida, blank forms and publications are available through several methods and in a variety of formats.

Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314
(850)488-9000
www.sunbiz.org

Fictitious Names

Fictitious Names: Glossary of Terms

A *FICTITIOUS NAME* is anything other than an individual's legal name. Registration of that name is required if it is used in business so as to inform the public of who is actually conducting business.

BUSINESS means any enterprise or venture, in which a person sells, buys, exchanges, barter, deals or represents the dealing in anything or article of value, or renders services for compensation.

LEGAL NAME means a person's given name, or an entity that is properly registered.

Fictitious Names: General Information

A Fictitious Name registration is required of individuals who do business under any name other than their legal personal name or under a properly registered corporate name, partnership, trademark or service mark. The purpose of Chapter 865.09, Florida Statutes, known as the Fictitious Name Act, is to insure a public record of the identity of a fictitious name owner. Registration under this act does not reserve or protect a fictitious name against use by another party, nor does it provide rights to the use of a trade name, trademark, service mark or corporate name. The Division does not screen names submitted for registration against any other recorded information. Applicants may contact the Name Availability Office in the Division to see if the name is already in use. You may also check the telephone directory. The applicant is responsible for avoiding and defending against name infringement. If name protection is your goal, you may want to pursue registering a trademark or service mark if your name meets the requirements of the Florida Statutes. There are also other types of entity registrations you may want to consider. The advice of trusted legal counsel is recommended.

Fictitious name registration packets are available from the Division of Corporations in Tallahassee. Registrations are filed with the Division of Corporations in Tallahassee, not with city or county offices. The fictitious name must be advertised as a legal notice one time in a newspaper in the county where the applicant's principal place of business will be. No proof of publication is required, instead the applicant certifies that the advertising transpired by signing a statement on the application form. Fictitious name registrations are valid for five years, expiring on December 31 of the fifth year. Renewals may be filed between July 1 and December 31 of the fifth year. If a change of business ownership occurs, the owners must file a cancellation and re-registration within 30 days of the change.

If you do business under a fictitious name and do not file with the Division, you may be subject to certain criminal misdemeanor penalties. You may also be prevented from maintaining a lawsuit, and you may be held liable for attorneys' fees and costs if someone

cannot find you as owner of a fictitious name. All three may apply under some circumstances.

In addition to registering with the State of Florida, companies must also file a registration with the City of Deltona at the following office:

City of Deltona
Customer Service/Occupational Licenses
First Floor, City Hall
2345 Providence Blvd.
Deltona, FL 34725
(386) 878-8100

Fictitious Names: Additional Information

For information on fees, call 850/488-9000; write to the Florida Department of State, Division of Corporations, Corporate Filings, P.O. Box 6327, Tallahassee, FL 32314 or check the Division's website, www.sunbiz.org.

Trademarks

Trademarks: Glossary of Terms

TRADEMARK means any word, name, symbol, character, design, drawing or device or any combination thereof adopted and used by a person to identify goods made or sold by him or her and to distinguish them from goods made or sold by others.

SERVICE MARK means any word, name, symbol, character, design, drawing or device or any combination thereof and the distinctive features of radio, television or other advertising, adopted and used by a person to identify services rendered or offered by him or her and to distinguish them from services rendered or offered by others.

CERTIFICATION MARK means a trademark or service mark used upon or in connection with the products or services of one or more persons other than the owner of the mark to certify regional or other origin, material, mode of manufacture, quality, accuracy or other characteristics of such goods or services or that the work or labor on the goods or services was performed by members of a union or other organization.

COLLECTIVE MARK means a trademark or service mark used by the members of a cooperative, an association or other collective group or organization and includes marks used to indicate membership in a union, an association or other organization.

Trademarks: General Information

A trademark or service mark may be registered with the Division of Corporations, providing the mark meets all requirements and complies with the provisions stipulated in Chapter 495, Florida Statutes. The owner of a mark may be an individual or a legally recognized business so long as the business entity maintains an active registration on file with the Division. A mark must be in use before it can be registered. In the case of a trademark, the good(s) or product(s) must be on sale in the market place. For a service mark, the applicant must actually be rendering the service for which a service mark is applied. The mere advertising of goods or services does not constitute use of a trade or service mark.

Marks submitted for registration or reservation are checked for distinction from marks that are registered or reserved with the Division. Marks submitted for registration or reservation are not checked, however, for distinction from corporation names, fictitious names or any other entity names registered with the Division. It is the responsibility of the registering party to investigate the availability of a proposed mark and to determine that the mark does not constitute infringement upon the mark of another. It is the responsibility of the owner of an existing mark to defend it against infringement.

Rights to ownership of a mark are perfected by actual use in the ordinary pursuit of the specific endeavor; rights are not perfected by registration only. The rule “FIRST IN USE, FIRST IN RIGHT” is applicable. Ownership of a mark is not bestowed by a government entity but is obtained through use. Registering a mark is a means of placing notice to the public that the name is in use. Trusted legal advice regarding use and registration of a mark is recommended.

Trademark or service mark registrations with the Division are state government level registrations. They do not replace registrations with the federal government. To obtain information regarding federal registration, contact the United States Patent and Trademark Office in Washington, D.C. For information regarding copyrights, contact the Copyright Office in Washington, D.C.

U.S. Patent and Trademark Office
866/217-9197 (Customer Service)

Trademark Assistance Center
800/786-9199

Copyright Office
202/707-3000

Trademark: Fees

For information on fees, call (850) 488-9000; write to the Florida Department of State, Division of Corporations, Corporate Filings, P.O. Box 6327, Tallahassee, FL 32314 or check the Department's website – www.dos.state.fl.us.

Trade Associations

Florida's small businesses often turn to trade associations for industry research, networking and, perhaps most important, lobbying support in Tallahassee. Membership costs and services and interaction with members vary widely from group to group. The following is a sampling of Florida trade associations of particular interest to small businesses. To find out if a group is right for you, talk to current members. The organizations that are underlined have a website.

Accounting

[Florida Institute of Certified Public Accountants](#)
850/224-2727

Agriculture

[Florida Farm Bureau Marketing Division](#)
352/728-1561

[Florida Citrus Commission](#)
863/499-2500

[Florida Fruit and Vegetable Association](#)
321-214-5200

Aquaculture

[Southeastern Fisheries Association](#)
850/224-0612

Architects

[Florida Association of the American Institute of Architects](#)
850/222-7590

Attorneys

[The Florida Bar](#)
850/561-5600

Banking and Finance

[Florida Bankers Association](#)
850/224-2265
[Florida Credit Union League](#)
800/342-1266

[Florida International Bankers Association](#)
305/579-0086

Business and Industry

[Florida Chamber of Commerce](#)
850/521-1200

[Associated Industries of Florida](#)
850/224-7173

[National Federation of Independent Business](#)
850/681-0416

[Florida United Businesses Association](#)
850/681-6265

[Florida League of Cities](#)
850/222-9684

[Florida Economic Development Council](#)
850/201-3332

[Florida Association of Counties](#)
850/922-4300

Contractors-Construction

[Florida Roofing, Sheet Metal and Air Conditioning Contractors Association](#)
407/671-3772

[Asphalt Contractors Association of Florida](#)
850/222-7300

[Florida Concrete & Products Association](#)
800/342-0080

[Florida Association of Electrical Contractors](#)
407/260-1511

[Florida Home Builders Association](#)
850/224-4316

Education and Training

[Florida Association of Community Colleges](#)
850/222-3222

[Florida Education Association/United](#)
850/201-2800

Engineering

[Florida Engineering Society](#)
850/224-7121

Forestry

[Florida Forestry Association](#)
850/222-5646

Horticulture

[Florida Nurserymen and Growers Association](#)
800/375-3642

Insurance

[Florida Association of Insurance Agents](#)
850/893-4155

Labor

[Florida AFL-CIO](#)
850/224-6926

Marine

[Florida Ports Council](#)
850/222-8028

Medical-Pharmaceutical

[Florida Hospital Association](#)
407/841-6230

[Florida Medical Association](#)
800/762-0233

[Florida Pharmacy Association](#)
850/222-2400

Publications-Printing

[Printing Association of Florida](#)
407/240-8009

Real Estate

[Florida CCIM Chapter](#)
888/767-2246

Recycling-Reprocessing

Florida Business and Industry
Recycling Program
407/678-4200

Retail

[Florida Retail Federation](#)
888/357-3824

[Associated Grocers of Florida](#)
305/696-0080

[Merchants Association of Florida Inc.](#)
813/273-7700

Transportation-Trucking-Automotive-Aviation

[Florida Transportation Builders' Association](#)
850/942-1404

[Florida Trucking Association](#)
850/222-9900

[Florida Automotive Industry Association](#)
800/989-1992

[Florida Aviation Trades Association](#)
800-280-9662

Utilities

[Florida Municipal Electric Association](#)
850/224-3314

[Florida Electric Cooperatives Association](#)
850/877-616